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Attorneys for Defendants
Metropolitan Life Insurance Company and
Metropolitan Insurance and Annuity Company

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MARAT UDLER, individually and as
Administrator of the ESTATE OF RITA
AVRUTIN UDLER,

Plaintiff,

vs.

METROPOLITAN LIFE INSURANCE
COMPANY, a corporation;
METROPOLITAN INSURANCE AND
ANNUITY COMPANY, a corporation; and
DOES 1 through 50,

Defendants.

CASE NO.: CV 08 5047 MHP

SECOND JOINT STIPULATION OF
COUNSEL TO EXTEND TIME FOR
DEFENDANT METROPOLITAN LIFE
INSURANCE COMPANY AND
METROPOLITAN INSURANCE AND
ANNUITY COMPANY TO FILE
RESPONSIVE PLEADINGS BY SEVEN
DAYS

[Local Rule 7-12]

Complaint Filed: September 11, 2008

Pursuant to Rule 7-12 of the Local Rules of Practice for the United States District Court for the Northern District of California ("Local Rules"), Plaintiff Marat Udler, Individually and as Administrator of the Estate of Rita Avrutin Udler ("Plaintiff") and Defendants Metropolitan Life Insurance Company ("MetLife") and Metropolitan Insurance and Annuity Company ("MIAC") (collectively "Defendants"), by and through their respective counsel, hereby stipulate to extend the time within which Defendants may answer or otherwise respond to the initial Complaint filed in San Francisco County Superior Court on September 11, 2008, served upon Defendants on October 6, 2008, and removed to this Court on November 5, 2008 based upon diversity of citizenship jurisdiction.

Specifically, Defendants shall have an additional seven (7) days from the response date in which to answer or otherwise respond, which at present is due on November 28, 2008 (pursuant to a previously filed stipulation), such that a pleading filed on or before November December 5, 2008 shall be deemed timely. Good cause exists for this extension because Defendants have only recently retained counsel, and additional time is needed to gather all relevant documents and all matters previously reviewed and considered in connection with Plaintiff's claims, to formulate its interim litigation strategy and to prepare its responsive pleadings.

Pursuant to Local Rule 7-12, this stipulation need not be approved by the judge.

DATED: December 7, 2008

BARGER & WOLEN LLP

By: 

ROYAL F. OAKES
MICHAEL A. S. NEWMAN
JAMES C. CASTLE
Attorneys for Defendants
Metropolitan Life Insurance Company and
Metropolitan Insurance and Annuity
Company

1 DATED: December 1, 2008

GUY KORNBLUM & ASSOCIATES

2
3 By: Jill Whitby

GUY O. KORNBLUM

JILL A. WHITBY

Attorneys for Plaintiff

Marat Udler, Individually and as
Administrator of the Estate of Rita

Avrutin Udler

